

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

v.

CHARLES KUSHNER

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Criminal No. 04-CR-580 (JLL)

ORDER

The Court having considered the motion of the Newark Morning Ledger Company and North Jersey Media Group Incorporated (“Media Intervenors”) to (1) intervene in the instant action and (2) obtain access to all sentencing letters and sentencing memoranda submitted to the Court,

IT IS on this **30th** day of **December, 2004**,

ORDERED that

- (1) Media Intervenors’ motion to intervene is GRANTED;
- (2) the Government’s sentencing memorandum, with appropriate redactions in order to preserve the confidentiality of grand jury matters, ongoing investigations, and otherwise sensitive information, shall be made available;
- (3) defendant’s sentencing memorandum shall be made available;
- (4) letters excerpted or explicitly referenced in defendant’s sentencing memorandum shall be made available;
- (5) letters submitted by current and former public officials shall be made available;
- (6) letters other than those excerpted or explicitly referenced in defendant’s sentencing memorandum and those submitted by current and former public officials, whether submitted

directly to the Court or by counsel, shall not be made available, subject to the Court's explicit reliance on individual letters during the sentencing proceedings, which letters shall be made available at that time; and

(7) letters other than those excerpted or explicitly referenced in defendant's sentencing memorandum and those submitted by current and former public officials, whether submitted directly to the Court or by counsel, to which the Court makes reference during the sentencing proceedings, but only with respect to the sheer quantity of said letters rather than individual content, shall not be disclosed.

The Court will file an Opinion elaborating upon this Order.

/s/ Jose L. Linares
JOSE L. LINARES
UNITED STATES DISTRICT JUDGE